	Application No.	Applicant(s)	5
Notice of Allowability	10/026,181 Examiner	ELLIOTT, BRIG BAI	RNUM /
	Caminer	Artom	
	Eric M Gibson	3661	
The MAILING DATE of this communication appearance All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIOF the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication IGHTS. This application is subject to	olication. If not include will be mailed in due of	ed course. <b>THIS</b>
1. This communication is responsive to <u>10/29/2004</u> .			
2. The allowed claim(s) is/are <u>1,2,5-17,34,35,38-43 and 49</u> .			
3. The drawings filed on 19 November 2001 are accepted by the Examiner.			
<ul> <li>4. ☐ Acknowledgment is made of a claim for foreign priority ur</li> <li>a) ☐ All b) ☐ Some* c) ☐ None of the:</li> <li>1. ☐ Certified copies of the priority documents have</li> <li>2. ☐ Certified copies of the priority documents have</li> <li>3. ☐ Copies of the certified copies of the priority documents have</li> <li>International Bureau (PCT Rule 17.2(a)).</li> <li>* Certified copies not received:</li> <li>Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN</li> </ul>	e been received. e been received in Application No cuments have been received in this of	national stage applicat	
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  5. A SUBSTITUTE OATH OR DECLARATION must be subminformal patent application (PTO-152) which give	itted. Note the attached EXAMINER		OTICE OF
6. CORRECTED DRAWINGS (as "replacement sheets") mus			•
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached			
1)  hereto or 2)  to Paper No./Mail Date			
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date			
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t	.84(c)) should be written on the drawir he header according to 37 CFR 1.121(	ngs in the front (not the d).	back) of
7. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT	SIT OF BIOLOGICAL MATERIAL IN FOR THE DEPOSIT OF BIOLOGICA	nust be submitted. N AL MATERIAL.	lote the
Attachment(s)  1. ☑ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/C Paper No./Mail Date  4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. Notice of Informal P 6. Interview Summary Paper No./Mail Dat 08), 7. Examiner's Amendr 8. Examiner's Stateme 9. Other	(PTO-413), te nent/Comment	·

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## **DETAILED ACTION**

## Notice of References Cited

The attached PTO-892 should have been included with a prior Office Action (mailed 2/4/2004). It appears to be missing in the IFW format of this application.

Therefore, in order for the references to be included on the issued patent, a copy is included with this action, however, no copies of the references are being provided.

## Reasons for Allowance

Claims 1, 2, 5-17, 34, 35, 38-43, and 49 are allowed.

The following is an examiner's statement of reasons for allowance:

The After Final Amendment filed 10/29/2004 places the application in condition for allowance. All rejected claims have been canceled and claim 49, previously indicated as containing allowable subject matter (see Office Action mailed 9/2/2004), has been amended to include the limitations of the independent claim and intervening dependent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M Gibson whose telephone number is (703) 306-4545. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**EMG** 

MICHAEL J. ZANELLI PRIMARY EXAMINER